

REMARKS

The Office Action dated June 15, 2005, has been carefully considered. Accordingly, the changes presented herewith, taken with the following remarks, are believed sufficient to place the present application in condition for allowance. Reconsideration is respectfully requested.

Claims 1-5, 7-15, 11-15, 17-19 and 21-27 are pending in the application. Applicants thank the Examiner for allowing claims 11-15, 17-19 and 21-27. In the present Office Action, the Examiner objects to claim 9 as being of improper dependent form and to claim 10 as being dependent from a rejected base claim. The Examiner rejects claims 1-5 and 7-9 under 35 U.S.C. 102(b) as anticipated by Polmanteer et al. (U.S. Patent No. 4,418,165, hereinafter "Polmanteer").

New claims 28 and 29 have been added to more clearly claim certain aspects of the present invention. Claim 28 is supported at least by the specification at page 13, lines 9-15; and page 15, lines 9-12. Claim 29 is supported at least by the specification at page 15, lines 6-9. No new matter has been added by the addition of claims 28 and 29.

Claims 1 and 9 have been canceled without prejudice; Applicants reserve the right to prosecute these claims in separate applications in the future. With the cancellation of claim 9, the objection to that claim is rendered moot. Claim 10 now depends from amended claim 5. As stated below, Applicants believe claim 4 (from which claim 5 depends) should now be allowed, and as such Applicants submit that claim 10 should be allowed for at least the reasons that claims 4 and 5 are allowable as stated below.

Claim 4 is herein amended to place it in independent form, including all of the elements of claim 1. No new matter has been added by the amendments to claim 4. Claim 4 states in pertinent part: "wherein the silica reinforcer has a refractive index greater than 1.46." Polmanteer does not teach or suggest any indices of refraction greater than 1.46. See, for example, the following sections of Polmanteer for its only mentions of refractive indices up to 1.46: column 2, lines 1-8; column 10, lines 1-10; and column 13, lines 52-57. In fact, the majority of Polmanteer is dedicated to the more typical silicone compositions

having indices of refraction between about 1.40 and 1.43. Polmanteer states at column 14, lines 14-21: "As shown by the following examples and in accordance with the teachings of the present invention, the refractive index of the polydiorganosiloxane and filler do not have to be closely matched in order to obtain optically clear compositions which are curable to silicone elastomers. For example, silica fillers which are useful in the compositions of this invention generally have a RI of 1.43...." (Emphasis added) Applicants respectfully submit that Polmanteer does not teach a silica reinforcer with an index of refraction greater than 1.46. Thus, claim 4 should be allowable over Polmanteer. Further, as claims 2-3, 5 and 7-10 are dependent on claim 4, these claims should be allowed for at least the same reasons that claim 4 is allowable.

Claim 28 further requires that the silica reinforcer have an index of refraction greater than or equal to 1.47. This further distinguishes over Polmanteer, which as noted above does not teach indices of refraction above 1.46. Accordingly, claim 28 should be allowed for at least the same reasons that claim 4 is allowable.

Claim 29 states in pertinent part: "wherein the refractive index of the silica reinforcer is within about 0.015 of the refractive index of the silicone polymer." Polmanteer does not teach or suggest such a relationship between the indices of refraction of the silica reinforcer and silicone polymer. Rather, Polmanteer teaches (see, e.g., column 11, line 56 through column 12, line 10; and column 13, lines 44-52) and claims (e.g., claims 1, 4, 7, 11) that the fillers disclosed in Polmanteer have a refractive index that differs from that of the polymer by "greater than 0.025 units." Further, the problem being solved in Polmanteer is the need to avoid index matching between the filler and the polymer (See, e.g., column 3, lines 4-27), rather than including index matching to within 0.015 units. As such, Polmanteer focuses primarily on polymer-filler combinations that do not require index matching and are not in fact limited to indices of refraction within 0.015 units of each other (See, e.g., column 14, lines 14-56).

CONCLUSION

In view of the foregoing, it is respectfully submitted that all claims of the present application are in condition for allowance. Reconsideration of the presently rejected claims and allowance of all pending claims is respectfully requested.

Applicants believe that no fees are due in accordance with this Amendment beyond those included herewith. Should any additional fees be due, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account 502317.

Respectfully submitted,



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